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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

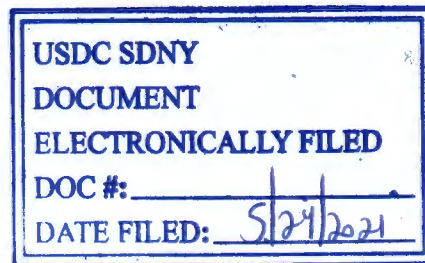
IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff-Appellee,

v.

ESTATE OF SEYMOUR EPSTEIN, *et al*,

Defendants-Appellants.



Adv. Pro. No. 08-01789 (SMB)
SIPA LIQUIDATION
(Substantively Consolidated)

Adv. Pro. No. 10-04438 (CGM)

Appeal No. 1:21-cv-02334-CM

**~~PROPOSED~~ ORDER GRANTING MOTION
TO SUPPLEMENT RECORD ON APPEAL**

This matter comes to the Court on the Motion of Defendants-Appellants to Modify the Record on Appeal pursuant to Federal Rule of Bankruptcy Procedure 8009(e)(2)(C) (the "Motion"). (Docket #15-17.) Plaintiff-Appellee does not oppose the Motion. (Docket #23 at 3.) After

reviewing the Motion, the Court finds that Second Amended Designation of Items to Be Included in the Record ("SAD") submitted in support of the Motion (Docket #17-1) contains material items.

Therefore, the Court enters the following order:

1. The Motion is granted. The record on appeal is hereby supplemented to include the items referenced in the SAD. *As noted in the minute order of the court, the signing of this court does not constitute a finding that the items included*
2. Appellant is directed to electronically file the SAD and a copy of this Order in the Bankruptcy Court.
3. The Clerk of the Bankruptcy Court for the Southern District of New York is hereby directed to transmit the items referenced in the SAD to the Clerk of this Court pursuant to Federal Rule of Bankruptcy Procedure 8010(b)(1).

It is so ordered.

Dated: May 24, 2021.



Colleen McMahon, U.S.D.J.

in the SAD are "material" & the appeal, are admissible as proof of any contested matter, or are appropriately considered by the court in reaching a decision on the merits of the appeal.

In papers referencing items contained in the SAD, the party making the reference must indicate the referenced material and footnote the place in the SAD from which the reference derives.